

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**ROBERT STEWART,**

**Plaintiff,**

**vs.**

**PMG AUTO SALES D/B/A ATKINSON  
TOYOTA SOUTH DALLAS,**

**Defendant.**

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**CIVIL ACTION NO. 3:17-CV-1261-K**

**JOINT DESIGNATION OF MEDIATOR**<sup>1</sup>

Plaintiff Robert Stewart (“Plaintiff”) and Defendant PMG Auto Sales d/b/a Atkinson Toyota South Dallas (“Defendant”) file this Joint Designation of Mediator in accordance with the Court’s Scheduling Order. The Parties hereby notify the Court that mediation of this matter would be agreeable with either Ross Hostetter or Kathy Fragnoli.

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<sup>1</sup> Defendant incorporates herein its contention that all of Plaintiff’s claims, including, but not limited to, the claims asserted in this lawsuit, are subject to a valid and enforceable arbitration agreement, requiring him to arbitrate his claims rather than pursue litigation in this Court. Subject to and without waiving its contention concerning arbitration, Defendant agrees to this Designation of Mediator to the extent that such an agreement to designate a mediator is required by the court’s Scheduling Order of August 25, 2017.

Respectfully submitted,

/s/ Alexis C. Knapp

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/s/ Jay D. Ellwanger (signed w/ permission)

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/s/ James A. Vagnini (signed w/ permission)

**James A. Vagnini (admitted pro hac vice)**

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**ATTORNEYS FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

I hereby certify that on September 25, 2017, I electronically filed the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the Electronic Case Filing System of the Court, which will send notice to the Plaintiff's attorneys of record.

/s/ Alexis C. Knapp  
Alexis C. Knapp